

UTILITY  
PATENT APPLICATION  
TRANSMISSION

Our Docket No.:  
33537/US/2/DJB

Date:  
APRIL 9, 2004

First Named Inventor:

McArthur

Title:

Dehydrated mash potato product and  
process

Express Mail No.: EV 442861355 US

ADDRESS TO:

Mail Stop NEW PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICATION ELEMENTS**

1. ☒ Fee Calculation Sheet  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status
3. ☒ Specification Total Pages: **25**
  - ☒ Descriptive title of the invention
  - ☒ Cross References to Related Applications
  - ☐ Statement Regarding Fed. Sponsored R&D
  - ☐ Reference to Microfiche Appendix
  - ☒ Background of the Invention
  - ☒ Brief Summary of the Invention
  - ☒ Brief Description of the Drawings
  - ☒ Detailed Description
  - ☒ Claims
  - ☒ Abstract of the Disclosure
4. ☐ Drawings (35 U.S.C. 113) Total Sheets:
5. ☒ Oath or Declaration Total Pages: **1**
  - a. ☒ Newly Executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. 1.63(d)) (for continuation/divisional with Box 19 completed)
    1. ☐ **DELETION OF INVENTORS**  
Signed statement attached deleting inventor(s) named in the prior application (37 C.F.R. 1.63(d)(2) and 1.33(b))

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identify of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Certification Under 35 U.S.C. 122(b)(2)(B)(i)
10. ☒ Assignment Papers (cover sheet & document(s))
11. ☐ 37 C.F.R. 3.73(b) Submission
12. ☒ Power of Attorney
13. ☐ English Translation Document (if applicable)
14. ☐ Information Disclosure Statement (with Copies of Citations as necessary)
15. ☐ Preliminary Amendment Total Pages:
16. ☒ Return Receipt Postcard (Should be specifically itemized)
17. ☐ Certified Copy of Priority document(s) (if foreign priority is claimed)
18. ☒ Other: Notification of Filing of Processing and Retention Fee under 37 C.F.R. § 1.21(l) in Parent Application

6. ☒ Application Data Sheet (37.C.F.R. 1.76)

19. **If a CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
☒ Continuation ☐ Division ☐ Continuation-in-part (CIP)  
of prior Application No.: **10/683,572 filed 10/09/2003**

For continuation or divisional applications: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference

**CORRESPONDENCE ADDRESS**

ATTY NAME	David J. Brezner, Reg. No. 24,774	SIGNATURE: <i>David J. Brezner</i>	DATE: APRIL 9, 2004
ADDRESS	DORSEY & WHITNEY LLP Four Embarcadero Center Suite 3400 San Francisco, California 94111-4187		
TELEPHONE	(415) 781 1989		
FAX	(415) 398-3249		
	Customer Number: 32940		

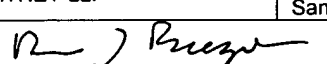
# APPLICATION FEE TRANSMITTAL SHEET (FY 2004)

**Complete if Known**

Application No.	
Filing Date	APRIL 9, 2004
First Named Inventor	McArthur
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Atty. Docket Number	33537/US/2 / DJB

METHOD OF PAYMENT (Check One)				FEE CALCULATION (Continued)			
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 50-2319 Deposit Account Name: <u>DORSEY &amp; WHITNEY LLP</u>  <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)				<b>3. ADDITIONAL FEES</b>			
2. <input checked="" type="checkbox"/> Check Enclosed				Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
<b>FEE CALCULATION</b>				50	25	Surcharge - late provisional filing fee or cover sheet	
<b>1. BASIC FILING FEE</b>				130	65	Surcharge - Late nonprovisional filing fee or oath	
Large Entity Fee	Small Entity Fee	Fee Description		180	180	Submission of IDS	
160	80	<input type="checkbox"/> Provisional Filing Fee		40	40	Recording each patent assignment per property (times number of properties)	40
770	385	<input checked="" type="checkbox"/> Utility Filing Fee					
340	170	<input type="checkbox"/> Design Filing Fee					
770	385	<input type="checkbox"/> Reissue Filing Fee					
Subtotal (1) 770							
<b>2. EXTRA* CLAIM FEES</b>				110	55	Extension for reply within first month	
Number Claims	Extra	Fee from Below*	Fee Paid	420	210	Extension for reply within second month	
Total 25 - 20 = 5	x	\$18.00	= \$90.00	950	475	Extension for reply within third month	
Indep. 3 - 3 = 0	x	\$86.00	= \$0.00	1,480	740	Extension for reply within fourth month	
Multiple Dependent Claims =	x	\$290	= \$0.00	2010	1005	Extension for reply within fifth month	
Subtotal (2) \$90.00				770	385	Submission After Final 1.129	
<b>*Calculation of Extra Claim Fees</b>				330	165	Notice of Appeal	
Large Entity Fee	Small Entity Fee	Fee Description		330	165	Filing a brief in support of an appeal	
18	9	Claims in excess of 20		290	145	Request for oral hearing	
86	43	Independent claims in excess of 3		110	55	Terminal Disclaimer Fee	
290	145	Multiple dependent Claim		130	130	Petitions to the Commissioner	
84	42	Reissue independent claims over original patent		50	50	Petitions related to provisional applications	
18	9	Reissue claims in excess of 20 and over original patent		1,330	665	Utility/Reissue Issue Fee (including advance copies)	
				480	240	Design Issue Fee (inc. advance copies)	
				770	385	Request for Continued Examination (RCE)	
				300	300	Publication fee for early, voluntary, or normal publication	
				300	300	Publication fee for re-publication	
				110	55	Petition to Revive - unavoidable	
				1,330	665	Petition to Revive - unintentional	
				OTHER FEE (specify):			
				Subtotal (3)			40
				Total Amount of Payment:			\$900

Submitted by:

Name: David J. Brezner	Reg. No.: 24,774	Telephone: 415 781 1989
DORSEY & WHITNEY LLP	Four Embarcadero Center, Suite 3400 San Francisco, California 94111-4187	Customer Number 32940
Signature: 		Date: APRIL 9, 2004

<b>NOTIFICATION OF FILING OF PROCESSING AND RETENTION FEE UNDER 37 C.F.R. § 1.21(I) IN PARENT APPLICATION</b>	Application No.	
	Filing Date	<b>Herewith</b>
	First Named Inventor	<b>McArthur</b>
	Examiner Name	<b>Not yet assigned</b>
	Group Art Unit	<b>Not yet assigned</b>
	Attorney Docket No.	<b>33537/US/2 / DJB</b>
	Express Mail Number	<b>EV 442861355 US</b>
	Date:	


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 COMMISSIONER FOR PATENTS  
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 Alexandria, VA 22313-1450

Sir:

Filed herewith is notification that a processing and retention fee pursuant to 37 C.F.R. §1.21(I), was filed in parent application, U.S. Serial No. 10/683,572, filed 10/09/2003, of which the present application is a continuing application. The processing and retention fee was filed to retain the filing date of the parent application, U.S. Serial No. 10/683,572, in the current continuation application pursuant to 37 C.F.R. §1.53(d). Accordingly, under 37 C.F.R. §1.53(d), the parent application is pending, and continuing status is correct.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 467637-415 (33537/US/2/DJB)).

Respectfully submitted,

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	David J. Brezner, Reg. #24,774 DORSEY & WHITNEY LLP 4 Embarcadero Center, Suite 3400 San Francisco, CA 94111 Telephone : 415 781 1989	Customer Number 32940
Signature	 Date 4/9/04	

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

**McArthur**

Title

**Dehydrated mash potato product and  
process**

Attorney Docket No.

**33537/US/2/DJB**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen (18) months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

April 9, 2004

Date



Signature

David J. Brezner

Typed or printed name

24,774

Registration No.

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen (18) months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen (18) months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**